

**IN THE UNITED STATES DISTRICT COURT FOR  
THE EASTERN DISTRICT OF MICHIGAN NORTHERN DIVISION**

RICHARD PRATT and LARRY JONES,  
individually and on behalf of all others  
similarly situated,

Case No. 21-cv-11404-TLL-PTM  
Honorable Thomas L. Ludington  
Honorable Patricia T. Morris

Plaintiffs,

v.

KSE SPORTSMAN MEDIA, INC.,  
d/b/a OUTDOOR SPORTSMAN GROUP,  
INC.,

Defendant.

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**DEFENDANT’S NOTICE OF CONSTITUTIONAL  
QUESTION REGARDING MICHIGAN’S PRESERVATION  
OF PERSONAL PRIVACY ACT**

Pursuant to FED. R. CIV. P. 5.1, Defendant KSE Sportsman Media, Inc. d/b/a Outdoor Sportsman Group, Inc. (“KSE”) hereby notifies Michigan’s Attorney General, Dana Nessel, of a constitutional challenge to Michigan’s Preservation of Personal Privacy Act, MICH. COMP. LAW § 445.1711 *et seq.* (the “PPPA”).

On June 15, 2021, Plaintiffs filed a Class Action Complaint against KSE, alleging violations of the PPPA. *See* ECF No. 1. KSE subsequently filed a Motion for Judgment on the Pleadings pursuant to FED. R. CIV. P. 12(c), arguing that Plaintiffs cannot prevail on their claims because the PPPA is an unconstitutional special law in violation of Art. 4, § 29 of the Michigan Constitution. A copy of the

Motion, filed today in the Eastern District of Michigan, is attached.

Dated: August 19, 2022

Respectfully submitted,

/s/ Jonathan E. Lauderbach

Jonathan E. Lauderbach (P51313)  
WARNER NORCROSS + JUDD LLP  
715 East Main Street, Suite 110  
Midland MI 48640  
(989) 698-3701  
[jlauderbach@wnj.com](mailto:jlauderbach@wnj.com)

-and-

Mary Quinn Cooper, OBA #11966  
Kathy R. Neal, OBA #674  
Katie G. Crane, OBA #34575  
MCAFEE & TAFT, P.C.  
Williams Center Tower II  
Two West Second Street, Suite 1100  
Tulsa, Oklahoma 74103  
(918) 587-0000  
(918) 599-9317 (FAX)  
[maryquinn.cooper@mcafeetaft.com](mailto:maryquinn.cooper@mcafeetaft.com)  
[kathy.neal@mcafeetaft.com](mailto:kathy.neal@mcafeetaft.com)  
[katie.crane@mcafeetaft.com](mailto:katie.crane@mcafeetaft.com)

*Attorneys for Defendant KSE Sportsman  
Media, Inc. d/b/a Outdoor Sportsman Group,  
Inc.*

**CERTIFICATE OF SERVICE**

Jonathan E. Lauderbach states that on August 19, 2022, he did serve a copy of this *Notice of Constitutional Question Regarding Michigan's Preservation of Personal Privacy Act* via the Court's ECF system, which will provide notice to all parties of record, as well as via certified mail to:

Hon. Dana Nessel  
Attorney General  
State of Michigan  
525 West Ottawa Street  
Lansing, Michigan 48909

/s/Jonathan E. Lauderbach  
Jonathan E. Lauderbach